

SB3 ENROLLED



1 UIFOGD-3
2 By Senator Chambliss (Constitutional Amendment)
3 RFD: Confirmations
4 First Read: 17-Jul-23
5 2023 Second Special Session



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1 Enrolled, An Act,

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4 Proposing to amend Section 71.01 of the Constitution of
5 Alabama of 2022, to authorize the Legislature to sign and
6 transmit local laws or constitutional amendments before the
7 transmission of basic appropriations.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. The following amendment to the Constitution
10 of Alabama of 2022, is proposed and shall become valid as a
11 part of the constitution when approved by a majority of the
12 qualified electors voting thereon at the statewide primary
13 election held on March 5, 2024, and in accordance with
14 Sections 284, 285, and 287 of the Constitution of Alabama of
15 2022:

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PROPOSED AMENDMENT

18 Section 71.01 of the Constitution of Alabama of 2022,
19 is amended to read as follows:

20 "Section 71.01

21 (A) The following words and phrases, whenever used in
22 this amendment, shall have the following respective meanings:

23 "Basic Appropriations" means, with respect to any
24 regular session of the legislature, such appropriations as the
25 legislature may deem appropriate for the expenditures by the
26 state during the ensuing budget period for the ordinary
27 expenses of the executive, legislative and judicial
28 ~~departments~~ branches of the state, for payment of the public



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29 debt, and for education (excluding, however, any item within
30 the scope of the foregoing that is at the time provided for by
31 a continuing appropriation or otherwise).

32 "Budget Period" means a fiscal year of the state or
33 such period other than ~~the~~ a fiscal year as may hereafter be
34 fixed by law as the period with respect to which state budgets
35 are prepared and state appropriations are made.

36 (B) On or before the second legislative day of each
37 regular session of the legislature, ~~beginning with the first~~
38 ~~regular session after January 1, 1983,~~ the governor shall
39 transmit to the legislature for its consideration a proposed
40 budget for the then next ensuing budget period.

41 (C) The duty of the legislature at any regular session
42 to make the basic appropriations for any budget period that
43 will commence before the first day of any succeeding regular
44 session shall be paramount; and, accordingly, ~~beginning with~~
45 ~~the first regular session held after January 1, 1983,~~ no bill
46 (other than a bill making any of the basic appropriations)
47 shall be signed by either the presiding officer of the house
48 or senate and transmitted to the other house until bills
49 making the basic appropriations for the then ensuing budget
50 period shall have been signed by the presiding officer of each
51 house of the legislature in accordance with Section 66 of this
52 Constitution and presented to the governor in accordance with
53 Section 125 of this Constitution; provided, that this
54 paragraph (C) shall not affect the passage of local laws or
55 local constitutional amendments, the adoption of resolutions,
56 or the conduct of any ~~other~~ legislative functions that do not



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57 require a third reading; and provided further, that following
58 adoption, by vote of either house of not less than
59 three-fifths of a quorum present, of a resolution declaring
60 that the provisions of this paragraph (C) shall not be
61 applicable in that house to a particular bill, which shall be
62 specified in said resolution by number and title, the bill so
63 specified may proceed to final passage therein.

64 (D) Upon the signing and presentation to the governor
65 in accordance with ~~the said~~ Sections 66 and 125 of bills
66 making the basic appropriations, the provisions of the
67 foregoing paragraph (C) prohibiting the final passage of bills
68 in the house and senate (other than bills making any part of
69 the basic appropriations) shall cease to be effective and
70 shall not be revived or become again effective as a result of
71 (i) the subsequent legislative history of any bill so signed
72 and presented, including any veto, return with executive
73 amendment, or any other action, or failure to act, by either
74 the governor or the legislature under the provisions of the
75 said Section 125; or (ii) a determination, by either judicial
76 decree or opinion of the justices of the Alabama Supreme
77 Court, that any bill so signed and presented is wholly or in
78 part invalid.

79 (E) The legislature may, by statute or rule, make such
80 further provisions for the timely passage of bills making the
81 basic appropriations as are not inconsistent with the
82 provisions of this Constitution.

83 (F) Nothing contained herein shall be construed as
84 requiring the legislature to make any appropriation not



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85 otherwise required by this Constitution to be made.

86 (G) Notwithstanding any provision of this amendment,
87 any resolution authorizing the consideration of a bill
88 proposing a local law adopted before ~~November 8, 2016~~March 5,
89 2024, that conformed to the rules of either body of the
90 Legislature at the time it was adopted, is ratified, approved,
91 validated, and confirmed, and the application of any such
92 resolution is effective from the date of original adoption."

93 Upon ratification of this constitutional amendment, the
94 Code Commissioner shall number and place this amendment as
95 appropriate in the constitution omitting this instructional
96 paragraph and may make the following nonsubstantive revisions:
97 change capitalization, spelling, and punctuation for purposes
98 of style and uniformity; correct manifest grammatical,
99 clerical, and typographical errors; and correct incorrect
100 cross-references.

101 Section 2. An election upon the proposed amendment
102 shall be held in accordance with Sections 284 and 285 of the
103 Constitution of Alabama of 2022, and the election laws of this
104 state.

105 Section 3. The appropriate election official shall
106 assign a ballot number for the proposed constitutional
107 amendment on the election ballot and shall set forth the
108 following description of the substance or subject matter of
109 the proposed constitutional amendment:

110 "Proposing an amendment to the Constitution of Alabama
111 of 2022, to amend Section 71.01 authorizing the Legislature to
112 sign and transmit local laws or constitutional amendments



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113 before the transmission of basic appropriations.

114 Proposed by Act ____."

115 This description shall be followed by the following

116 language:

117 "Yes() No()."



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

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Senate 19-Jul-23

I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 21-Jul-23

Senate concurred in House amendment 21-Jul-23

By: Senator Chambliss